

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CADENCE PHARMACEUTICALS, INC.)	
and SCR PHARMATOP,)	Case Number: 1:13-cv-00453
)	
Plaintiffs,)	
v.)	
)	
FRESENIUS KABI USA, LLC)	
)	
Defendant.)	

NOTICE OF DISMISSAL PURSUANT TO FEDERAL

RULE OF CIVIL PROCEDURE 41(a)(1)(A)(i)

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs Cadence Pharmaceuticals, Inc. and SCR Pharmatop voluntarily dismiss, without prejudice, their complaint against Defendant Fresenius Kabi, USA, LLC, filed on January 18, 2013.

Defendant Fresenius Kabi, USA, LLC has not answered the complaint, nor filed a motion for summary judgment. Dismissal under Rule 41(a)(1)(A)(i) is therefore appropriate.

Respectfully Submitted,

Dated: March 11, 2013

LATHAM & WATKINS

/s/Kenneth G. Schuler with permission

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Dismissal Pursuant to Federal Rule of Civil Procedure 40(a)(1)(A)(i) was filed via the Court's CM/ECF Online filing system and was served on all counsel of record via the Court's CM/ECF system on this 11th day of March 2013.

/s/Adam T. Waskowski
Adam T. Waskowski